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RUEATRS/TREASURY DEPT WASHINGTON DC 0000

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SENSITIVE
SIPDIS

E.O. 12958: N/A
TAGS: [EFIN](#) [ETTC](#) [KTFN](#) [PREL](#) [PTER](#) [ZF](#) [UNSC](#)
SUBJECT: 4 NAMES TO BE ADDED TO UNSC DRC SANCTIONS
COMMITTEE'S LIST

REF: A. STATE 731
 [1](#)B. 08 STATE 131896
 [1](#)C. 08 PARIS 1695
 [1](#)D. 08 USUN 808
 [1](#)E. 08 BRUSSELS 1346
 [1](#)F. 08 LONDON 2196
 [1](#)G. 08 STATE 90905
 [1](#)H. 08 KIGALI 568
 [1](#)I. 08 STATE 86006
 [1](#)J. 08 PARIS 1100
 [1](#)K. 08 STATE 60880

[1](#)1. (U) This is an action request. Please see para 3.

STRATEGIC OBJECTIVE

[1](#)2. (SBU) The United States wishes to lift our holds on a Government of Rwanda request to the UN Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo ("the DRC Committee") to list four individuals (para 7) linked to the Forces Democratiques de Liberation du Rwanda ("FDLR"). Once listed, these four individuals will be subject to an asset freeze and travel ban.

ACTION REQUEST

[1](#)3. (U) Embassy Kigali is instructed to present to the Government of Rwanda (GOR) and to ask whether the GOR would care to present these enhanced Statements of Case (para 8) to the DRC Committee as its own. Embassies London and Paris are requested to inform host governments that we believe this approach best serves our goals to enhance transparency and due process in UNSC sanctions regimes. Posts may draw on the points in paragraphs 9 and 10 below when discussing with host governments.

BACKGROUND

[1](#)4. (SBU) In May 2008, the Government of Rwanda requested that the UN Security Council DRC Sanctions Committee list nineteen individuals linked to the FDLR. The GOR submission was twelve pages long, and it was clearly resource-intensive to produce. However, the submission was not fully supported by complete identification information ("bio-identifiers") for each individual and information demonstrating that each individual meets the listing criteria. This information is necessary in order to ensure that there are fair and clear procedures for implementing UN sanctions. Therefore, U.S.,

UK, Belgium, and France placed holds on the entire GOR submission.

¶5. (SBU) The U.S. thanked the GOR for its extraordinary effort and expressed a desire to work with the GOR to list as many of the individuals as possible. Since May 2008, the USG has worked to develop "evidentiary packages" (the compilation of all necessary information) for the individuals, and during this process we learned of additional bio-identifiers than those provided by the GOR. The U.S. can now agree to the DRC Committee listing the four individuals from the GOR submission listed in para 7, and has shared information in New York and in capitals with a view to jointly lifting the holds.

¶6. (SBU) Given events in the DRC, allies have been anxious to take action as soon as possible, and we share the desire to move forward on this listing as soon as possible. It is important for countries in the region to make listing proposals so that sanctions are not viewed as a mere tool of the U.S., UK, and France.

INDIVIDUALS

¶7. (U) Names

- (1) MBARUSHIMANA, Callixte
- (2) NTAWUNGUKA, Pacifique
- (3) MUJYAMBERE, Leopold
- (4) NZEYIMANA, Stanislas

STATEMENTS OF CASE

¶8. Statements of Case to be provided to the DRC Committee:

(1) MBARUSHIMANA, Callixte
AKA: -
Title: FDLR Executive Secretary
DOB: 24 July 1963
POB: Ndusu/Ruhengeri, Northern Province, Rwanda
Nationality: Rwandan
Location: Paris or Thiais, France
Designation Justification: Callixte Mbarushimana is a military leader of a foreign armed group operating in the Democratic Republic of the Congo that impedes the disarmament, repatriation, or resettlement of combatants.

(2) NTAWUNGUKA, Pacifique
AKA: NTAWUNGULA, Pacifique
AKA: Colonel Omega
AKA: Nzeri
AKA: Israel
Title: Commander of FDLR 1st Division
Title: Colonel
DOB: 01 January 1964
DOB: Est. 1964
POB: Gaseke, Gisenyi Province, Rwanda
Nationality: Rwandan
Location: Peti, Walikale - Masisi Border, DRC
Designation Justification: Pacifique Ntawunguka is a political leader of a foreign armed group operating in the Democratic Republic of the Congo that impedes the disarmament, repatriation, or resettlement of combatants.

(3) MUJYAMBERE, Leopold
AKA: Ibrahim, Frere Petrus
AKA: Musenyeri
AKA: Achille
Title: Commander, FDLR CO 2nd Division
Title: Colonel
DOB: 17 March 1962
DOB: Est. 1966
POB: Kigali, Rwanda
Nationality: Rwandan
Location: Mwenga, South Kivu Province, DRC
Designation Justification: Leopold Mujyambere is a

military leader of a foreign armed group operating in the Democratic Republic of the Congo that impedes the disarmament, repatriation, or resettlement of combatants.

(4) NZEYIMANA, Stanislas
AKA: BIGARUKA IZABAYO, Deogratias
AKA: Bigarura
AKA: Bigaruka
AKA: Izabayo Deo
Title: Deputy Overall Commander FOCA
Title: Brig. General
DOB: 01 January 1966
DOB: Est. 1967
DOB: alt. 28 August 1966
POB: Mugusa (Butare), Rwanda
Nationality: Rwandan
Location: Kalonge, Masisi, North Kivu, DRC
Location: Kibua, DRC

Designation Justification: Stanislas Nzeyimana is a military leader of a foreign armed group operating in the Democratic Republic of the Congo that impedes the disarmament, repatriation, or resettlement of combatants.

POINTS FOR DISCUSSION

19. (U) Posts may draw on the following points in discussions with the Government of Rwanda:

-- The U.S. would like to thank the GOR again for its extraordinary effort and wants to work with the GOR to list as many of the individuals as possible.

-- In order to ensure UN sanctions are implemented in as fair and transparent a manner as possible, each listing should be supported by adequate identifying information and information demonstrating that each individual meets the listing criteria.

-- The Government of Rwanda's submission was clearly the result of much effort. However, some supporting information, particularly bio-identifiers, required for effective implementation of UN sanctions was not included.

-- The U.S. has developed additional identifier information for four of the individuals (found in para 8) in the GOR's submission. The U.S. stands ready to support these four listings once the UNSC DRC Sanctions Committee has the additional identifiers.

-- The U.S. respectfully requests the GOR consider resubmitting these four individuals for listing with the additional information, to the DRC Committee.

-- Once the new submission is made, there will be a five day no objection deadline during which the 15 members of the Committee will review the information. We are confident the DRC Committee Members will be agreeable to the listing of the four individuals when the additional information is presented.

10. (U) Posts may draw on the following points in discussions with the Governments of the UK, France, and Belgium:

-- The Government of Rwanda's submission was clearly resource-intensive to produce. We should be respectful of the work they have done, and allow them to take the lead as the designating state.

-- We (U.S., UK, Belgium, and France) can cosponsor the designations, but we should not submit the four names as our own new submission, because this would discourage Rwanda's efforts.

-- Non-western governments, particularly those with strong interests in a particular sanctions regime, should be encouraged to propose listings. A lack of their participation can fuel the perception that sanctions committees are primarily a tool of western governments.

-- Blocking the GOR submission and submitting the names as our own proposal would likely discourage other countries from proposing names for designation.

-- Every listing in the DRC Committee has been submitted by the UK, France and the U.S. It is an important development that a country from the region is trying to work within the UN sanctions program to pressure bad actors in the conflict.

POC AND REPORTING DEADLINE

¶11. (U) Jean Clark in IO's Office of Peacekeeping, Sanctions, and Counterterrorism (clarkjt@state.sgov.gov, 202.736.7736) is the point of contact. Reporting deadline is 16 January.

¶12. (U) Department appreciates Posts' efforts.
RICE